

REMARKS

Claims 23-25 and 29-30 have been amended.

A Petition for a 1-Month Extension of Time and a check for \$120 to cover the extension fee payment are being filed with this Amendment. Authorization is granted to charge our deposit account no. 03-3415 for any additional fees necessary for entry of this Amendment.

The Examiner has rejected applicant's claims 23-30 under 35 U.S.C. 102(e) as being anticipated by the Suda, et al. (U.S. Patent No. 5,140,357) patent. The Examiner has also rejected applicant's claims 23-30 under 35 U.S.C. 102(e) as being anticipated by the Nozaki, et al. (U.S. Patent No. 5,267,044) patent. Applicant has amended applicant's independent claims 23, 25 and 29, and with respect to these claims, as amended, and their respective dependent claims, the Examiner's rejections are respectfully traversed.

Applicant's independent claims 23, 25 and 29 have been amended to better define applicant's invention. In particular, applicant's independent claim 23 has now been amended to recite a moving condition switching means for switching a moving condition of the second lens during movement of the first lens so that a high frequency component amount of the video signal oscillates. Applicant's independent claims 25 and 29 have been similarly amended.

The constructions recited in applicant's amended independent claims 23, 25 and 29, and their respective dependent claims, are not taught or suggested by the cited art of record. In particular, the Examiner has argued that the Suda, et al. patent teaches a first lens 2/3 for performing a magnification operation, a second lens 1 for correcting movement of a focal plane during movement of the first lens, lens moving means 17, 19/21 for independently moving the first and second lenses to be parallel to an optical axis, extracting means 9 for extracting a high

frequency component from a video signal of a photographed object, and first moving condition switching means for switching a moving condition of the second lens during movement of the first lens so that a high frequency component amount of the video signal changes (col. 2, lines 4-45). The Examiner has also argued that the Nozaki, et al. patent teaches a first lens 28 for performing a magnification operation, a second lens 18 for correcting movement of a focal plane during movement of the first lens, lens moving means 20, 30 for independently moving the first and second lenses to be parallel to an optical axis, extracting means 422 for extracting a high frequency component from a video signal (6) of a photographed object, and first moving condition switching means for switching a moving condition of the second lens during movement of the first lens so that a high frequency component amount of the video signal changes (col. 3, lines 3-68).

Applicant has reviewed the passages of the Suda, et al. and the Nozaki, et al. patents cited by the Examiner, and believes that neither of these patents teach or suggest switching a moving condition of the second lens during movement of the first lens so that a high frequency component amount of the video signal oscillates.

More particularly, the Suda, et al. patent discloses an automatic focus adjusting device in which the focusing lens or the image sensor “is made to always minutely wobble back and forth” (emphasis added) so as to result in a change in the level of the high-frequency component. See, Col. 1, lines 35-40 and Col. 2, lines 27-45. The wobbling of the image sensor or the focusing lens is used to obtain near-focus state and far-focus state information which is then used to determine the direction in which to move the focusing lens in order to bring the image into sharp focus. Col. 1, lines 35-40 and Col. 2, lines 18-47. There is no teaching or suggestion in these passages of the

Suda, et al. patent of switching a moving condition of the focusing lens during the movement of the zooming lens to oscillate the amount of the high frequency component of the video signal. Rather, the changes in the level of the high frequency component in the Suda, et al. patent are accomplished by wobbling the focusing lens or the image sensor at all times, i.e., by maintaining the moving condition (wobbling) of these elements constant, and there is no mention of switching the moving condition of the focusing lens in Suda, et al. in order to oscillate the high-frequency component amount during the movement of the first lens. Accordingly, applicant's amended independent claims 23, 25 and 29, all of which recite such feature, and their respective dependent claims, patentably distinguish over the Suda, et al. patent.

The Nozaki, et al. patent likewise fails to teach or suggest switching a moving condition of the second lens, i.e. focusing lens, during movement of the first lens, i.e. zoom lens, so that a high frequency component amount of the video signal oscillates. The Nozaki, et al. patent discloses an automatic focusing system which focuses by driving a focus lens until the value of the high frequency component of the image signal is greatest. Col. 3, lines 3-68. In particular, in the Nozaki, et al. patent, the peak, or the greatest, value of the high frequency component is detected by driving the focus lens and is determined by "trial and error." Col. 3, lines 45-47. Namely, the system of Nozaki, et al. drives the focus lens in one direction to determine whether the value of the high frequency component increases, and based on this determination drives the focus lens in the direction in which the high frequency component value increases until the peak value is reached. See, Col. 3, lines 38-57. The Nozaki, et al. patent mentions neither the switching of a moving condition of the focus lens during movement of the zoom lens nor the oscillating of the high frequency component amount of the video signal. Accordingly, applicant's

independent claims 23, 25 and 29, which recite switching a moving condition of the second lens during movement of the first lens so that a high frequency component amount of the video signal oscillates, and their respective dependent claims, also patentably distinguish over the Nozaki, et al. patent.

In view of the above, it is submitted that applicant's claims, as amended, patentably distinguish over the Suda, et al. and the Nozaki, et al. patents, taken in combination or alone. Accordingly, reconsideration of the claims is respectfully requested.

If the Examiner believes that an interview would expedite consideration of this Amendment or of the application, a request is made that the Examiner telephone applicant's counsel at (212) 790-9286.

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Respectfully submitted,



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